

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES AVIATION)	
UNDERWRITERS, INC.,)	
)	
Plaintiff/Counter-Defendant,)	
)	
v.)	1:11CV141
)	
BILL DAVIS RACING, INC.,)	
)	
Defendant/Counter-Claimant,)	
)	
RENAISSANCE AIR, LLC, and)	
BANCORPSOUTH BANK,)	
)	
Defendants.)	

ORDER

On August 24, 2012, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections were filed within the time limits prescribed by section 636.

Therefore, the court need not make a *de novo* review, and the Magistrate Judge's Recommendation (Doc. 45) is hereby adopted.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Judgment on the Pleadings (Doc. 19) is GRANTED IN PART to the extent that Plaintiff seeks dismissal of Defendant BDR's counterclaims for bad faith refusal to settle and unfair and deceptive trade practices, and that those counterclaims are DISMISSED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Judgment on the Pleadings (Doc. 19) is DENIED in all other respects, without prejudice to Plaintiff raising its contentions as part of a Motion for Summary Judgment after the close of the discovery period that has been set by the court.

/s/ Thomas D. Schroeder
United States District Judge

September 11, 2012